

**SIXTY-SIXTH LEGISLATIVE DAY  
WEDNESDAY, MARCH 14, 2007**

House of Representatives

The House convened at 10 a.m., Mr. Roberts in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Representative Wood(35).

The Pledge of Allegiance was led by Micah Delbridge, Page.

**Approval of Journal**

March 14, 2007

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Sixty-fifth Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the  
Governor and the Senate**

OFFICE OF THE GOVERNOR  
Boise

March 12, 2007

The Honorable Lawrence Denney  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

**H 5, H 26, H 27, H 43, H 44, H 58, H 60, H 61, H 76, H 78, H 116, H 141, H 156, and H 221**

Very truly yours,  
/s/ C. L. "BUTCH" OTTER  
Governor

March 13, 2007

Mr. Speaker:

I return herewith enrolled **H 117, H 100, H 54**, as amended in the Senate, **H 32**, as amended in the Senate, **H 71**, as amended in the Senate, and **H 20**, as amended in the Senate, which have been signed by the President.

WOOD, Secretary

Enrolled **H 117, H 100, H 54**, as amended in the Senate, **H 32**, as amended in the Senate, **H 71**, as amended in the Senate, and **H 20**, as amended in the Senate, were referred to the

Judiciary, Rules, and Administration Committee for delivery to the Governor.

March 13, 2007

Mr. Speaker:

I return herewith enrolled **HCR 13, HCR 25**, and **HCR 22** which have been signed by the President.

WOOD, Secretary

Enrolled **HCR 13, HCR 25**, and **HCR 22** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

March 13, 2007

Mr. Speaker:

I transmit herewith **S 1179** which has passed the Senate.

WOOD, Secretary

**S 1179** was filed for first reading.

March 13, 2007

Mr. Speaker:

I return herewith **H 180, H 183, H 121, H 157**, and **HCR 8** which have passed the Senate.

WOOD, Secretary

**H 180, H 183, H 121, H 157**, and **HCR 8** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

March 14, 2007

Mr. Speaker:

I return herewith **H 158, H 4, H 102, H 135, H 136, H 202, H 181, H 189, H 197**, and **H 198** which have passed the Senate.

WOOD, Secretary

**H 158, H 4, H 102, H 135, H 136, H 202, H 181, H 189, H 197**, and **H 198** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

**Report of Standing Committees**

March 14, 2007

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 305, H 306, H 307, H 308, H 309, H 310, H 311, H 312, H 313**, and **H 314** and House Amendments to **S 1175** and **S 1078**.

CLARK, Chairman

**H 305, H 306, H 307, H 308, H 309, H 310, H 311, H 312, H 313**, and **H 314** were filed for second reading.

**S 1074**, held at the Desk February 26, 2007, was referred to the Agricultural Affairs Committee.

March 14, 2007

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND

ADMINISTRATION, report that we have enrolled **H 129**, **H 51**, and **H 52**.

CLARK, Chairman

The Speaker Pro Tem announced that enrolled **H 129**, **H 51**, and **H 52** would be signed by the Speaker, and when so signed, ordered them transmitted to the Senate for the signature of the President.

March 14, 2007

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed **H 130**, as amended in the Senate, and **H 25**, as amended in the Senate.

CLARK, Chairman

**H 130**, as amended in the Senate, and **H 25**, as amended in the Senate, were filed for first reading of engrossed bills.

March 14, 2007

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HCR 16**, **HJM 1**, as amended, and **HJM 3** to the Secretary of State at 10:28 a.m., as of this date, March 13, 2007.

CLARK, Chairman

March 13, 2007

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **S 1172** and **S 1173** and recommend that they do pass.

LOERTSCHER, Chairman

**S 1172** and **S 1173** were filed for second reading.

March 13, 2007

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration **S 1128**, as amended, and **S 1136**, as amended, and recommend that they do pass.

STEVENSON, Chairman

**S 1128**, as amended, and **S 1136**, as amended, were filed for second reading.

March 13, 2007

Mr. Speaker:

We, your COMMITTEE ON COMMERCE AND HUMAN RESOURCES, report that we have had under consideration **SCR 115** and **S 1156**, as amended, and recommend that they do pass.

SCHAEFER, Chairman

**SCR 115** and **S 1156**, as amended, were filed for second reading.

March 13, 2007

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **S 1142** and **S 1185** and recommend that they do pass.

CLARK, Chairman

**S 1142** and **S 1185** were filed for second reading.

March 13, 2007

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **S 1161** and report it back with amendments attached to be placed on General Orders for consideration.

CLARK, Chairman

**S 1161** was placed on General Orders for consideration.

There being no objection, the House advanced to the Eighth Order of Business.

#### **Introduction, First Reading, and Reference of Bills and Joint Resolutions**

#### **HOUSE BILL NO. 315 BY APPROPRIATIONS COMMITTEE AN ACT**

RELATING TO MENTAL HEALTH AND SUBSTANCE ABUSE; APPROPRIATING ADDITIONAL MONEYS TO THE SUPREME COURT FOR FISCAL YEAR 2008; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE SUBSTANCE ABUSE TREATMENT PROGRAM FOR FISCAL YEAR 2008; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF CORRECTION FOR COMMUNITY SUPERVISION FOR FISCAL YEAR 2008; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE COMMUNITY MENTAL HEALTH PROGRAM FOR MENTAL HEALTH AND SUBSTANCE ABUSE GRANTS FOR FISCAL YEAR 2008; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF CORRECTION FOR FISCAL YEAR 2008; APPROPRIATING MONEYS TO THE OFFICE OF THE GOVERNOR FOR THE OFFICE OF DRUG POLICY FOR FISCAL YEAR 2008; APPROPRIATING ADDITIONAL MONEYS TO THE LEGISLATIVE SERVICES OFFICE FOR FISCAL YEAR 2008; AND AUTHORIZING ADDITIONAL FULL-TIME EQUIVALENT POSITIONS FOR THE DEPARTMENT OF CORRECTION.

#### **HOUSE BILL NO. 316 BY APPROPRIATIONS COMMITTEE AN ACT**

DIRECTING THE STATE CONTROLLER TO TRANSFER MONEYS TO THE IDAHO ECONOMIC DEVELOPMENT BIOFUEL INFRASTRUCTURE MATCHING GRANT FUND; AND APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF

WATER RESOURCES FOR FISCAL YEAR 2008, THROUGH FISCAL YEAR 2009.

**HOUSE BILL NO. 317**  
**BY APPROPRIATIONS COMMITTEE**  
 AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF WATER RESOURCES FOR FISCAL YEAR 2008.

**HOUSE BILL NO. 318**  
**BY APPROPRIATIONS COMMITTEE**  
 AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR PSYCHIATRIC HOSPITALIZATION IN THE COMMUNITY HOSPITALIZATION PROGRAM FOR FISCAL YEAR 2008; PROVIDING THE FUNDING ALLOCATION FOR SUPPORT OF FRANKLIN HOUSE; APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR PSYCHIATRIC HOSPITALIZATION IN THE STATE HOSPITAL NORTH PROGRAM FOR FISCAL YEAR 2008; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS FOR THE STATE HOSPITAL NORTH PROGRAM; APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR PSYCHIATRIC HOSPITALIZATION IN THE STATE HOSPITAL SOUTH PROGRAM FOR FISCAL YEAR 2008; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS FOR THE STATE HOSPITAL SOUTH PROGRAM; PROVIDING THAT THE STATE CONTROLLER SHALL MAKE TRANSFERS FROM THE GENERAL FUND; DIRECTING THE DEPARTMENT TO PURSUE CONTRACTS FOR COMMUNITY HOSPITALIZATION; DIRECTING THAT FUNDS FOR TRUSTEE AND BENEFIT PAYMENTS SHALL NOT BE TRANSFERRED; DIRECTING THE DISTRIBUTION OF THE FUNDING FOR EMPLOYEE COMPENSATION; AND DIRECTING THE ALLOCATION OF SALARY SAVINGS.

**HOUSE BILL NO. 319**  
**BY APPROPRIATIONS COMMITTEE**  
 AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR MENTAL HEALTH SERVICES IN THE CHILDREN'S MENTAL HEALTH PROGRAM FOR FISCAL YEAR 2008; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS FOR THE CHILDREN'S MENTAL HEALTH PROGRAM; APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR MENTAL HEALTH SERVICES IN THE COMMUNITY MENTAL HEALTH SERVICES PROGRAM; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS FOR THE COMMUNITY MENTAL HEALTH SERVICES PROGRAM; PROVIDING THAT THE STATE CONTROLLER SHALL MAKE TRANSFERS FROM THE GENERAL FUND; PROVIDING THAT THE STATE CONTROLLER SHALL MAKE TRANSFERS FROM THE DRUG COURT, MENTAL

HEALTH COURT AND FAMILY COURT SERVICES FUND; PROVIDING LEGISLATIVE INTENT FOR OVERSIGHT BY THE IDAHO COUNCIL FOR CHILDREN'S MENTAL HEALTH; DIRECTING THAT FUNDS FOR TRUSTEE AND BENEFIT PAYMENTS SHALL NOT BE TRANSFERRED; EXPRESSING LEGISLATIVE INTENT WITH REGARD TO CHILDREN'S MENTAL HEALTH CONTRACT TREATMENT SERVICES; CLARIFYING THE BUDGET TRANSFER TO CHILD WELFARE; PROVIDING INTENT REGARDING THE FUNDING ALLOCATION FOR SUPPORT OF FRANKLIN HOUSE; DIRECTING THE DISTRIBUTION OF THE FUNDING FOR EMPLOYEE COMPENSATION; AND DIRECTING THE ALLOCATION OF SALARY SAVINGS.

**HOUSE BILL NO. 320**  
**BY APPROPRIATIONS COMMITTEE**  
 AN ACT

DIRECTING THE STATE CONTROLLER TO TRANSFER MONEYS TO THE WATER MANAGEMENT FUND.

**HOUSE BILL NO. 321**  
**BY REVENUE AND TAXATION COMMITTEE**  
 AN ACT

RELATING TO PROPERTY EXEMPT FROM TAXATION; AMENDING CHAPTER 6, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-602KK, IDAHO CODE, TO PROVIDE THAT A BOARD OF COUNTY COMMISSIONERS MAY DECLARE THAT ALL OR A PORTION OF THE MARKET VALUE OF INVESTMENT IN NEW PLANT AND BUILDING FACILITIES MEETING CERTAIN TAX INCENTIVE CRITERIA, SHALL BE EXEMPT FROM TAXATION, TO DEFINE TERMS, TO PROVIDE APPLICATION PROCEDURES TO THE BOARD OF COUNTY COMMISSIONERS AND TO PROVIDE THAT THE LEGISLATURE DECLARES THE EXEMPTION IS NECESSARY AND JUST; AMENDING SECTION 63-802, IDAHO CODE, TO PROVIDE AN EXCEPTION TO THREE PERCENT PROPERTY TAX BUDGET LIMITATION GROWTH CAP FOR CERTAIN PROPERTY TAX EXEMPTIONS; AND PROVIDING AN EFFECTIVE DATE.

**H 315, H 316, H 317, H 318, H 319, H 320, and H 321** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**S 1175**, as amended in the House, by Judiciary and Rules Committee, was introduced, read the first time by title, and filed for second reading.

**S 1078**, as amended in the House, by Health and Welfare Committee, was introduced, read the first time by title, and filed for second reading.

**S 1179**, by State Affairs Committee, was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

### First Reading of Engrossed Bills

**H 130**, as amended in the Senate, and **H 25**, as amended in the Senate, by Resources and Conservation Committee, were introduced, read the first time by title and filed for second reading.

### Second Reading of Bills and Joint Resolutions

**H 301**, **H 302**, **H 303**, and **H 304**, by Appropriations Committee, were read the second time by title and filed for third reading.

**S 1047**, **S 1102**, **S 1103**, **S 1144**, and **S 1077**, by Health and Welfare Committee, were read the second time by title and filed for third reading.

**S 1170**, **S 1125**, **S 1152**, as amended, and **S 1174**, by Judiciary and Rules Committee, were read the second time by title and filed for third reading.

**S 1119** and **S 1134**, by Transportation Committee, were read the second time by title and filed for third reading.

**S 1088**, as amended, by Education Committee, was read the second time by title and filed for third reading.

### Third Reading of Bills and Joint Resolutions

**H 296** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Eskridge to open debate.

The question being, "Shall **H 296** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Edmunson, Eskridge, Hagedorn, Hart, Harwood, Henderson, Jaquet, Killen, King, Kren, Labrador, LeFavour, Loertscher, Luker, Marriott, Mathews, Moyle, Nielsen, Pasley-Stuart, Patrick, Pence, Raybould, Ring, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayn, Trail, Vander Woude, Wills, Wood(27), Wood(35). Total -- 63.

NAYS -- McGeachin, Mortimer. Total -- 2.

Absent and excused -- Bedke, Henbest, Lake, Nonini, Mr. Speaker. Total -- 5.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 296** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 297** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Eskridge to open debate.

The question being, "Shall **H 297** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Edmunson, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ring, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Thayn, Trail, Vander Woude, Wills, Wood(27), Wood(35). Total -- 67.

NAYS -- None.

Absent and excused -- Bedke, Stevenson, Mr. Speaker. Total -- 3.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 297** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 298** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Ringo to open debate.

The question being, "Shall **H 298** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Edmunson, Eskridge, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ring, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Thayn, Trail, Vander Woude, Wills, Wood(27), Wood(35). Total -- 66.

NAYS -- Hagedorn. Total -- 1.

Absent and excused -- Bedke, Stevenson, Mr. Speaker. Total -- 3.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 298** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 299** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized

Mrs. McGeachin to open debate.

The question being, "Shall **H 299** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Brackett, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Edmunson, Eskridge, Hagedorn, Hart, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ring, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayn, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total -- 67.

NAYS -- Harwood. Total -- 1.

Absent and excused -- Bedke, Bradford. Total -- 2.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 299** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 300** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Eskridge to open debate.

The question being, "Shall **H 300** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Bayer, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Edmunson, Eskridge, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ring, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayn, Trail, Wills, Wood(27), Mr. Speaker. Total -- 62.

NAYS -- Barrett, Hagedorn, Loertscher, Luker, Mortimer, Vander Woude, Wood(35). Total -- 7.

Absent and excused -- Bedke. Total -- 1.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 300** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**S 1192** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Henderson to open debate.

The question being, "Shall **S 1192** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Bayer, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Edmunson, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ring, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayn, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total -- 68.

NAYS -- Barrett. Total -- 1.

Absent and excused -- Bedke. Total -- 1.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1192** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1193** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Henderson to open debate.

The question being, "Shall **S 1193** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Edmunson, Eskridge, Hagedorn, Hart, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, LeFavour, Luker, Marriott, Mathews, McGeachin, Mortimer, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ring, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(2), Shepherd(8), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayn, Trail, Vander Woude, Wills, Wood(27), Mr. Speaker. Total -- 62.

NAYS -- Barrett, Harwood, Loertscher, Nielsen, Schaefer. Total -- 5.

Absent and excused -- Lake, Moyle, Wood(35). Total -- 3.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1193** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1194** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. McGeachin to open debate.

The question being, "Shall **S 1194** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Brackett, Bradford,

Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Edmunson, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ring, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayn, Trail, Vander Woude, Wills, Wood(27), Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- Wood(35). Total -- 1.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1194** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1195** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Eskridge to open debate.

The question being, "Shall **S 1195** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Edmunson, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ring, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayn, Vander Woude, Wood(27). Total -- 66.

NAYS -- None.

Absent and excused -- Trail, Wills, Wood(35), Mr. Speaker. Total -- 4.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1195** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1197** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bayer to open debate.

The question being, "Shall **S 1197** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Brackett, Chadderdon, Chew, Clark, Collins, Edmunson, Eskridge, Henbest, Henderson, Killen, King, Labrador, LeFavour, McGeachin, Moyle, Nonini, Patrick,

Ringo, Rusche, Schaefer, Snodgrass, Stevenson, Trail, Vander Woude, Wood(27). Total -- 34.

NAYS -- Barrett, Bock, Boe, Bradford, Chavez, Crane, Durst, Hagedorn, Hart, Harwood, Jaquet, Kren, Lake, Loertscher, Luker, Marriott, Mathews, Mortimer, Nielsen, Pasley-Stuart, Pence, Raybould, Ring, Roberts, Ruchti, Saylor, Shepherd(2), Shepherd(8), Shirley, Shively, Smith(30), Smith(24), Thayn, Wood(35). Total -- 34.

Absent and excused -- Wills, Mr. Speaker. Total -- 2.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1197** failed to pass the House and ordered the bill returned to the Senate.

**S 1198** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Ringo to open debate.

The question being, "Shall **S 1198** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Block, Bock, Boe, Bolz, Brackett, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Edmunson, Eskridge, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Vander Woude, Wood(27). Total -- 57.

NAYS -- Barrett, Hagedorn, Hart, Harwood, Loertscher, Luker, Ring, Thayn, Wood(35). Total -- 9.

Absent and excused -- Black, Bradford, Wills, Mr. Speaker. Total -- 4.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1198** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Lake, having voted on the prevailing side, served notice that he may ask for reconsideration of the vote by which **S 1197** failed the House.

**S 1197** was ordered held at the Desk.

**S 1199** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Eskridge to open debate.

The question being, "Shall **S 1199** pass?"

Roll call resulted as follows:

AYES -- Anderson, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Brackett, Chadderdon, Chavez, Chew,

Clark, Collins, Durst, Edmunson, Eskridge, Hart, Henbest, Henderson, Jaquet, King, Kren, Lake, LeFavour, Marriott, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ring, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(2), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Wood(27). Total -- 49.

NAYS -- Andrus, Barrett, Crane, Hagedorn, Harwood, Labrador, Loertscher, Luker, Mathews, McGeachin, Mortimer, Nielsen, Shepherd(8), Thayn, Vander Woude, Wood(35). Total -- 16.

Absent and excused -- Bradford, Killen, Moyle, Wills, Mr. Speaker. Total -- 5.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1199** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1200** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bayer to open debate.

The question being, "Shall **S 1200** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Brackett, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Edmunson, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ring, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayn, Trail, Vander Woude, Wood(27), Wood(35). Total -- 67.

NAYS -- None.

Absent and excused -- Bradford, Wills, Mr. Speaker. Total -- 3.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1200** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1201** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Wood(27) to open debate.

Pursuant to Rule 38(3), Ms. Henbest disclosed a conflict of interest regarding **S 1201**.

Pursuant to Rule 38(3), Mr. Andrus disclosed a conflict of interest regarding **S 1201**.

The question being, "Shall **S 1201** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Brackett, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Edmunson, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ring, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayn, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- Bradford. Total -- 1.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1201** passed the House. Title was approved and the bill was ordered returned to the Senate.

**H 295** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Nonini and Mr. Shirley to open debate.

The question being, "Shall **H 295** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Edmunson, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ring, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayn, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total -- 70.

Whereupon the Speaker Pro Tem declared **H 295** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 79**, as amended in the Senate, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Moyle to open debate.

The question being, "Shall **H 79**, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell,

Bilbao, Black, Block, Bock, Boe, Bolz, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Edmunson, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Roberts, Ruchti, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayn, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total -- 67.

NAYS -- Ring, Ringo, Rusche. Total -- 3.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 79**, as amended in the Senate, passed the House. Title was approved and the bill was referred to Judiciary, Rules, and Administration Committee for enrolling.

**H 85**, as amended in the Senate, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Schaefer to open debate.

The question being, "Shall **H 85**, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Edmunson, Eskridge, Hagedorn, Hart, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Patrick, Pence, Raybould, Ring, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayn, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Harwood, Pasley-Stuart. Total -- 2.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 85**, as amended in the Senate, passed the House. Title was approved and the bill was referred to Judiciary, Rules, and Administration Committee for enrolling.

**S 1107**, having previously been read the third time at length, was placed before the House for final consideration.

The question being, "Shall **S 1107** pass?"

Roll call resulted as follows:

AYES -- Bayer, Bedke, Bell, Bilbao, Black, Block, Chadderdon, Collins, Edmunson, Hagedorn, Henderson, Killen, Moyle, Nonini, Patrick, Ring, Roberts, Rusche, Schaefer, Smith(30), Smith(24), Snodgrass, Stevenson, Thayn, Wills,

Wood(27). Total -- 26.

NAYS -- Anderson, Andrus, Barrett, Bock, Boe, Bolz, Brackett, Bradford, Chavez, Chew, Clark, Crane, Durst, Eskridge, Hart, Harwood, Henbest, Jaquet, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Nielsen, Pasley-Stuart, Pence, Raybould, Ringo, Ruchti, Sayler, Shepherd(2), Shepherd(8), Shirley, Shively, Trail, Vander Woude, Wood(35), Mr. Speaker. Total -- 44.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1107** failed to pass the House and ordered the bill returned to the Senate.

Mr. Moyle moved that the House recess until 1:35 p.m. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker Pro Tem declared the House at recess until 1:35 p.m.

## RECESS

### Afternoon Session

The House reconvened at 1:35 p.m., Mr. Roberts in the Chair.

Roll call showed 69 members present.

Absent and excused -- Labrador. Total -- 1.

Total -- 70.

Prior to recess, the House was at the Eleventh Order of Business.

### Third Reading of Bills and Joint Resolutions

**S 1085** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Edmunson to open debate.

The question being, "Shall **S 1085** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Brackett, Bradford, Chadderdon, Chavez, Chew, Collins, Crane, Durst, Edmunson, Eskridge, Hagedorn, Hart, Jaquet, Killen, King, Kren, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayn, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total -- 62.

NAYS -- Barrett, Harwood, Henderson, Patrick. Total -- 4.

Absent and excused -- Clark, Henbest, Labrador, Lake. Total -- 4.

Total -- 70.



Whereupon the Speaker Pro Tem declared **S 1085** passed the House. Title was approved and the bill was ordered returned to the Senate.

**SJM 105** was read the third time at length and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Raybould to open debate.

The question being, "Shall **SJM 105** be adopted?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Durst, Edmunson, Hagedorn, Henderson, Jaquet, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Ruchti, Rusche, Schaefer, Shepherd(2), Shirley, Shively, Smith(30), Snodgrass, Stevenson, Thayn, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total -- 55.

NAYS -- Barrett, Bayer, Bock, Eskridge, Hart, Harwood, LeFavour, Patrick, Saylor, Shepherd(8), Smith(24), Vander Woude. Total -- 12.

Absent and excused -- Crane, Henbest, Labrador. Total -- 3.  
Total -- 70.

Whereupon the Speaker Pro Tem declared **SJM 105** adopted and ordered the memorial returned to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one Legislative Day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Thirteenth Order of Business.

#### Miscellaneous and Unfinished Business

Notice having been served and having voted on the prevailing side, Mr. Lake asked unanimous consent that the House reconsider the vote by which **S 1197** failed the House. There being no objection, it was so ordered.

The question being, "Shall the motion carry?"

Roll call resulted as follows:

AYES -- Anderson, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Brackett, Chadderdon, Clark, Collins, Crane, Edmunson, Eskridge, Henderson, Kren, Lake, Marriott, McGeachin, Moyle, Nonini, Patrick, Roberts, Schaefer, Shepherd(8), Shirley, Snodgrass, Stevenson, Trail, Vander Woude, Wills, Wood(27), Mr. Speaker. Total -- 34.

NAYS -- Andrus, Barrett, Bock, Boe, Bradford, Chavez, Chew, Durst, Hagedorn, Hart, Harwood, Henbest, Jaquet, Killen, King, LeFavour, Loertscher, Mathews, Mortimer, Nielsen, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Ruchti,

Rusche, Saylor, Shepherd(2), Shively, Smith(30), Smith(24), Thayn, Wood(35). Total -- 34.

Absent and excused -- Labrador, Luker. Total -- 2.  
Total -- 70.

Whereupon the Speaker Pro Tem declared the motion to reconsider failed and **S 1197** was returned to the Senate.

There being no objection, the House returned to the Fourth Order of Business.

#### Consideration of Messages from the Governor and the Senate

March 14, 2007

Mr. Speaker:

I transmit herewith enrolled **S 1019**, **S 1030**, as amended, **S 1053**, **S 1064**, **S 1081**, **S 1089**, as amended, **S 1091**, **S 1092**, **S 1095**, **S 1096**, **S 1098**, **S 1105**, **S 1109**, **S 1118**, **S 1120**, **S 1130**, **S 1133**, **S 1148**, **S 1150**, **S 1151**, **S 1160**, **S 1164**, **SCR 114**, and **SJM 103** for the signature of the Speaker.

WOOD, Secretary

The Speaker Pro Tem announced that enrolled **S 1019**, **S 1030**, as amended, **S 1053**, **S 1064**, **S 1081**, **S 1089**, as amended, **S 1091**, **S 1092**, **S 1095**, **S 1096**, **S 1098**, **S 1105**, **S 1109**, **S 1118**, **S 1120**, **S 1130**, **S 1133**, **S 1148**, **S 1150**, **S 1151**, **S 1160**, **S 1164**, **SCR 114**, and **SJM 103** would be signed by the Speaker, and when so signed, ordered them returned to the Senate.

March 14, 2007

Mr. Speaker:

I return herewith enrolled **H 234**, **H 235**, **H 236**, **H 193**, **H 126**, **H 127**, and **H 128** which have been signed by the President.

WOOD, Secretary

Enrolled **H 234**, **H 235**, **H 236**, **H 193**, **H 126**, **H 127**, and **H 128** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

March 14, 2007

Mr. Speaker:

I return herewith **HCR 28**, **HCR 19**, **HCR 15**, **H 190**, **H 257**, **H 258**, **H 259**, **H 124**, and **H 125**, as amended, which have passed the Senate.

WOOD, Secretary

**HCR 28**, **HCR 19**, **HCR 15**, **H 190**, **H 257**, **H 258**, **H 259**, **H 124**, and **H 125**, as amended, were referred to the Judiciary, Rules, and Administration Committee for enrolling.

There being no objection, the House advanced to the Sixteenth Order of Business.

#### Adjournment

Mr. Bedke moved that the House adjourn until 10 a.m.,

Thursday, March 15, 2007. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker Pro Tem declared the House adjourned at 2:11 p.m.

LAWRENCE DENNEY, Speaker

ATTEST:

PAMM JUKER, Chief Clerk